



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q64953

Gerard MOUGEY

Appln. No.: 09/869,523

Group Art Unit: 3749

Confirmation No.: 4595

Examiner: Carl D. PRICE

Filed: October 18, 2001

For: DEVICE FOR IMPROVING GAS FUEL BURNING

**TERMINAL DISCLAIMER**

**RECEIVED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAR 12 2004  
TECHNOLOGY CENTER R3700

Sir:

The undersigned, on behalf of the petitioner, TOTAL RAFFINAGE DISTRIBUTION S.A., represents that the petitioner is the owner of the entire right, title and interest of U.S. Application No. 09/869,516, having an international filing date of December 28, 1999, and entitled BURNER-TYPE APPARATUS AND FUEL COMBUSTION METHOD, by virtue of an Assignment from all of the inventors thereof, now issued as U.S. Patent 6,638,059, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/869,523 by virtue of an Assignment from all of the inventors thereof executed on August 27, 2001, recorded on October 18, 2001, at Reel 012292, Frame 0938.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/869,523 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,638,059, and hereby agrees that any patent so granted on the above-captioned U.S. Application No.

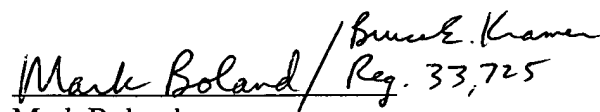
Terminal Disclaimer  
U.S. Appln. No. 09/869,523

09/869,523 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,638,059 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/869,523, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/869,523 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/869,523 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,638,059 in the event that U.S. Patent 6,638,059 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

Respectfully submitted,

  
Mark Boland  
Registration No. 32,497

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 8, 2004